

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA )

Plaintiff, )

v. )

CIVIL NO. \_\_\_\_\_

SANTA FE COUNTY, )

SANTA FE COUNTY ADULT )

DETENTION CENTER, )

ANNABELLE ROMERO, Corrections )

Director, )

DAVID TRUJILLO, Jail )

Administrator, )

SANTA FE BOARD OF COUNTY )

COMMISSIONERS )

Defendants. )

**COMPLAINT**

THE UNITED STATES OF AMERICA alleges:

1. The Attorney General files this complaint on behalf of the United States of America pursuant to the Civil Rights of Institutionalized Persons Act of 1980, 42 U.S.C. § 1997, to enjoin the named Defendants from depriving persons incarcerated at the Santa Fe County Adult Detention Center ("SFCADC"), located in Santa Fe, New Mexico, of rights, privileges, or immunities secured and protected by the Constitution of the United States.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this action under 28 U.S.C. § 1345.

3. The United States is authorized to initiate this action pursuant to 42 U.S.C. § 1997a.

4. The Attorney General has certified that all pre-filing requirements specified in 42 U.S.C. § 1997b have been met. The Certificate of the Attorney General is appended to this Complaint and is incorporated herein.

5. Venue in the District of New Mexico is proper pursuant to 28 U.S.C. § 1391.

DEFENDANTS

6. Defendant SANTA FE COUNTY is a governmental subdivision created under the laws of the State of New Mexico. The SFCADC is a division of the Santa Fe County government. The County owns and operates SFCADC, located in Santa Fe County.

7. Defendant SANTA FE COUNTY is the entity charged by the laws of the State of New Mexico with authority to maintain SFCADC and is responsible for the conditions of confinement and health and safety of persons incarcerated at SFCADC.

8. Defendant ANNABELLE ROMERO is the Corrections Director of SFCADC, and is sued in her official capacity.

9. Defendant David Trujillo is the Santa Fe County Jail Administrator, and is responsible for the day-to-day operations of SFCADC. In his official capacity as Jail Administrator, he has the custody, control, and charge of the jail and inmates. Jail Administrator Trujillo is sued in his official capacity.

10. Defendants, SANTA FE BOARD OF COUNTY COMMISSIONERS, are the County's governing authority, the Board of Commissioners has funding, claims resolution, and oversight powers over SFCADC. The Defendant COMMISSIONERS are sued in their official capacities.

11. Defendants are legally responsible, in whole or in part, for the operation and conditions of SFCADC, and for the health and safety of persons incarcerated in SFCADC.

12. At all relevant times, the Defendants or their predecessors in office have acted or failed to act, as alleged herein, under color of state law.

#### FACTUAL ALLEGATIONS

13. SFCADC is an institution within the meaning of 42 U.S.C. § 1997(1).

14. Persons confined to SFCADC include both pre-trial detainees and sentenced inmates.

15. Defendants have engaged in and continue to engage in a pattern or practice of failing to protect inmates at SFCADC from serious harm and undue risk of serious harm by, inter alia, failing to provide adequate medical and mental health care, and failing to provide safe and sanitary living conditions.

16. The factual allegations set forth in paragraph 15 have been obvious and known to Defendants for a substantial period of time; yet Defendants have failed to address adequately the conditions described.

#### VIOLATIONS ALLEGED

17. Through the acts and omissions alleged in paragraphs 15 and 16, Defendants have exhibited deliberate indifference to the health and safety of SFCADC inmates, in violation of the rights, privileges, or immunities of those inmates as secured or protected by the Constitution of the United States. U.S. Const. amend. VIII, XIV.

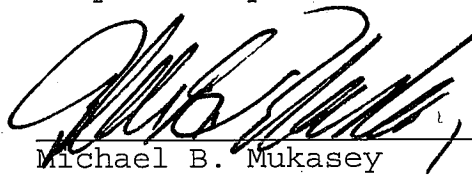
18. Unless restrained by this Court, Defendants may continue to engage in the acts and omissions set forth in paragraphs 15 and 16 that deprive persons confined at SFCADC of rights, privileges, or immunities secured or protected by the Constitution of the United States.

PRAYER FOR RELIEF

19. The Attorney General is authorized under 42 U.S.C. § 1997 to seek equitable and declaratory relief.

WHEREFORE, the United States prays that this Honorable Court enter an order permanently enjoining Defendants, their officers, agents, employees, subordinates, successors in office, and all those acting in concert or participation with them from continuing the acts, omissions, and practices set forth in paragraphs 15 and 16 above, and that this Court require Defendants to take such actions as will ensure lawful conditions of confinement are afforded to inmates at the Santa Fe County Jail. The United States further prays that this Court grant such other and further equitable relief as it may deem just and proper.

Respectfully submitted,

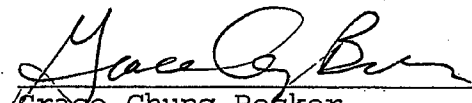
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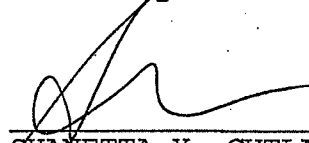
Michael B. Mukasey  
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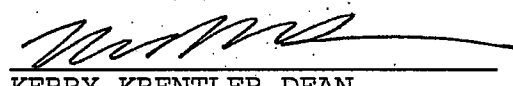
FILED ELECTRONICALLY 2/28/08

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